

REMARKS

Upon receipt of this response, the Examiner is respectfully requested to contact the undersigned representative of the Applicant to arrange a telephone interview concerning the inventive merits of this application.

Claims 49-51 and 53-66 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Miller '691 (U.S. Patent No. 4,524,691) in view of Belec et al. '015 (U.S. Patent No. 5,447,015) and Button et al. '348 (U.S. Patent No. 6,199,348). The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the above amendments and the following remarks.

The presently claimed invention relates to a method and device for automatically inserting at least one small item, to be transmitted via a mailing service, into an envelope via the device. The device comprises a storage bin 12, 52 for storing envelopes such that a closing flap of each envelope is folded into a closed position and faces a bottom of the storage. A control drum 13 is driven so as to rotate and a periphery of the control drum 13 has at least a vacuum portion and a roller portion. A rotary cam 14 successively unfolds the closing flap of a bottom most envelope, fed from the storage bin to the control drum 13, with the rotary cam supplying a stream of air which unfolds the closing flap, of the bottom most envelope being fed, from its initial closed position into the opened position while the vacuum portion of the control drum draws the envelope being fed from the storage bin against an outer surface thereof.

An item feeding mechanism sequentially feeding at least one item, to be inserted, toward an envelope 15 being conveyed, by the rotating control drum, from the storage bin toward an introduction zone by the vacuum portion of the control drum 13 with the closing flap of the envelope 15 being maintained in the opened position to facilitate insertion of at least one item into the envelope 15. An item inserting mechanism inserts at least one item into the envelope 15 and the item inserting mechanism comprising at least one guide 29, located adjacent the control drum 13 and in the introduction zone, for guiding the at least one item into the opened envelope 15. At least one scraper 25 is located adjacent an exterior surface of the control drum 13 for facilitating detachment of the envelope 15 from the vacuum portion of the

control drum 13. Finally, a discharge mechanism removes the envelope 15 once at least one item is inserted into the envelope 15.

Turning now to the base reference of Miller `691, this reference relates to a device which has a design that is apparently somewhat similar to the device of the present invention but which is, in fact, completely different from the presently claimed invention. In particular, Miller `691 fails to disclose a method or an apparatus for opening envelopes and inserting items therein. Rather, Miller `691 more specifically discloses an envelope feeder for a printing press in which there is not any requirement or need to transport the envelope in an open position or condition—see column 1, lines 56-60 which states that “[t]he feeder is uniquely suitable for taking envelopes to be imprinted from one, two or several parallel operating appended feeder trays that feed the press envelopes from each tray simultaneously with each printing cycle.” Accordingly, it is respectfully submitted that Miller `691 only relates to *handling of envelopes in a closed, unopened state* and thus fails to in any way teach, suggest, disclose or remotely hint at providing any mechanism or means for opening the envelopes or for handling or feeding envelopes in an opened position, as presently claimed. Therefore, it is respectfully submitted that one skilled in the art, of automatically inserting objects into envelopes, would certainly not consider Miller `691 as a reference which is directed at solving the problem of handling envelopes in an initially closed state and opening them, during conveyance, to facilitate reliable insertion of an item(s) therein at high speeds and without large numbers of complicated moving components.

In addition, it is respectfully submitted that the envelopes are not “grabbed” by a “rotating cam,” as suggested in the official action, but instead are “grabbed” by suction cups 34, 35 which generally comprises complex mechanical elements. Only once the envelopes are positioned by the suction cups 34, 35 does the “rotating cam” contact the envelopes and press them toward the rotating drum 36 for further conveyance.

With respect to Belec et al. `015, it is respectfully submitted that this reference specifically discloses that the vacuum drum 30 is static and does not rotate—see Figs. 19 and 20 and column 8 lines 33-35 and 53-56—and only serves to hold down the closing flap of the envelopes and, unlike the presently claimed invention, does not actually convey the envelopes.

Instead, the envelopes in Belec et al. '015 are transported by belts running along part of the outside of the vacuum drum 30 but "do not necessarily make contact with disks 32 or solid disks 33" of the vacuum drum 30 (see column 9 lines 8-9).

The Applicant also draws the Examiner's attention to the fact that Belec et al. '015 fails to in any way teach, suggest, disclose or remotely hint at a device that conveys a closed envelope from a stack holder or storage bin and subsequently opens and inserts an item(s) into the envelope. Instead, Belec et al. '015 *merely relates to and teaches how to transfer an already opened envelope into its feeding position*. Moreover, it is respectfully submitted that Belec et al. '015 is severely disadvantaged because it can only separate the two sides of the opened envelope in a stopped position (by means of a sucker bar 74, 78). In addition, and as somewhat alluded to above, it is respectfully submitted that due to the multiplicity of movable components of Belec et al. '015--such as a suction cup 78, rotating fingers 52, continuously moving envelope transport belts 60, and a separate envelope stacking section--this complicates operation of the device and thus tends to reduce its overall speed and efficiency. The Applicant respectfully submits that the presently claimed invention possesses a distinct and patentable advantages and improvements over and above the applied art of Belec et al. '015 because the presently claimed invention requires fewer complex moving components and can operate at higher output speeds.

With respect to the applied Button et al. '348 reference, the Applicant respectfully draws the Examiner's attention to the fact that independent claims 49, 65 and 66 are each distinguishable over and from Button et al. '348 because, while Button et al. '348 specifically teaches opening the envelopes by using a stream of air, this reference fails to in any way teach, suggest, disclose or remotely hint at, in any way, of utilizing a rotary cam to assist with the envelope opening process. Accordingly, the Applicant respectfully submits that Button et al. '348 fails to cure and/or supply the missing features which are lacking from in the applied combination of Miller '691 and Belec et al. '015.

In view of the above amendments and remarks, the Applicant respectfully submits that neither Miller '691 nor Belec et al. '015 nor Button et al. '348, nor any permissible combination thereof with one another, in any way teaches, suggests, discloses or remotely hints at, in any

way, the above distinguishing features of the presently claimed invention. In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, the independent claims of this application now recite the features of "a storage bin (12, 52) for storing envelopes such that a closing flap of each envelope is folded into a closed position and faces a bottom of the storage bin . . . a control drum (13) being driven so as to rotate and . . . a rotary cam (14) for successively unfolding the closing flap of a bottom most envelope, being fed from the storage bin, to the control drum (13) with the rotary cam supplying a stream of air to unfold the closing flap, of the bottom most envelope being fed, from its initial closed position into the opened position while the vacuum portion of the control drum draws the envelope being fed against an outer surface of the control drum (13) . . ." Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art. As such, all of the raised rejections should be withdrawn at this time in view of the above amendments and remarks.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Miller '691, Belec et al. '015 and/or Button et al. '348 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

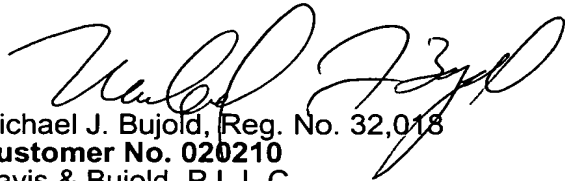
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In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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